REMARKS/ARGUMENTS

The Applicant originally submitted Claims 1-21 in the application. In previous responses, the Applicant has amended Claims 1, 8 and 15 and has canceled Claims 2, 9 and 16. No claims have been added. Accordingly, Claims 1, 3-8, 10-15 and 17-21 are currently pending in the application.

I.   **Rejection of Claims 1, 3-8, 10-15 and 17-21 under 35 U.S.C. §103**

The Examiner has rejected Claims 1, 3-8, 10-15 and 17-21 under 35 U.S.C. §103(a) as being unpatentable over a paper entitled "DHCP for Mobile Networking with TCP/IP" by Perkins, *et al.*, in view of U.S. Patent No. 5,974,460 to Maddalozzo. The Applicant respectfully disagrees.

Perkins is directed to providing a new option for the maintenance and allocation of IP addresses from home networks. Perkins discloses mobile clients of home networks using Dynamic Host Configuration Protocol (DHCP) for obtaining temporary "care-of" addresses for the operation of the mobile-IP protocol. (*See* page 256, left column, section 1, full paragraphs 2-3.) Perkins discloses a home agent and a foreign agent for sending packets to a mobile client. The home agent attracts packets targeted to its mobile clients and arranges delivery of the packets thereto via the care-of addresses. The foreign agent receives packets addressed to the care-of address of a mobile client. The mobile client and the home agent agree on the current care-of address through registration. Registration is performed whenever the mobile client moves to the area of service of a new foreign agent. (*See* page 256, right column, last paragraph, to page 257, left column, last paragraph and Figure 1.)

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The Applicant does not find where Perkins teaches or suggests determining whether a site is a mobile site or a fixed site of a computer network as recited in independent Claims 1, 8 and 15. The Examiner asserts that defining the location of a client when a mobile client is moving discloses making a determination of whether a site is a mobile site or a fixed site of a computer network. (*See* Examiner's Action, page 2 referring to page 256, sections 2-3 of Perkins.) The Applicant respectfully disagrees since Perkins teaches the address of a DHCP relay mediating transactions for the mobile client defines the point of attachment of the mobile client and thus defines the location of the mobile client. (*See* page 256, right column, last sentence of last full paragraph.) Therefore, defining the location of a mobile client does not teach or suggest determining if the client is a mobile or fixed client but instead relates to determining the current point of attachment for the mobile client with a network. Thus, the Examiner's assertion provides no teaching or suggestion of determining whether a site is a mobile site or a fixed site.

Accordingly, the Applicant also does not find where Perkins teaches or suggest managing communication with the site based on the determination of whether the site is a mobile site or a fixed site of the computer network as recited in independent Claims 1, 8 and 15. The Examiner asserts that the Internet Host of Figure 2 in Perkins teaches managing communication with a site based on determining when the site is a mobile site. (*See* Examiner's Action, page 3.) As illustrated in Figure 2 on page 257, however, the Internet Host sends packets to the home agent that then routes the packets to the mobile client via the proper foreign agent. Perkins provides no teaching or suggestion the Internet Host determines if the mobile client is a mobile client to

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manage communication therewith. Thus, Perkins provides no teaching or suggestion of managing communication with a site based on determining whether the site is a mobile site or a fixed site as recited in independent Claims 1, 8 and 15 but simply routes packet destined for a mobile client to the home agent that is responsible for maintaining the appropriate foreign agent for the mobile client. (*See* pages 257-258, sections 3.1 to 3.3.)

Perkins, therefore, is concerned with maintaining wireless communication with the mobile client via the home agent and the appropriate foreign agent and is not concerned with directing a communication to a mobile site when the mobile site is not in wireless communication with a computer network. As such, Perkins also does not teach or suggest directing a communication, when a site is a mobile site, either to the mobile site when the mobile site is in wireless communication with the computer network or to a mirror site when the mobile site is out of wireless communication with the computer network as recited in independent Claims 1, 8 and 15. The Examiner recognizes that Perkins does not teach or suggest a mirror site and cites Maddalozzo to teach a mirror site. (*See* Examiner's Action, page 3.) The Applicant agrees that Maddalozzo discloses a mirror site but does not find where Maddalozzo teaches or suggests directing communication to a mirror site of a mobile site based on when the mobile site is out of wireless communication with a computer network. Instead, Maddalozzo is directed to selecting the most efficient mirror site from a plurality of mirror sites. (*See* column 1, lines 6-9 and the Abstract.)

Perkins provides no teaching or suggestion to direct communication to a mirror site when a mobile site is not in wireless communication with a computer network since Perkins does not even

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teach a mirror site and is directed to maintaining wireless communication with a mobile client as a mobile client migrates. Thus, the combination of Perkins and Maddolozzo provides no teaching or suggestion of directing a communication, when a site is a mobile site, either to the mobile site when the mobile site is in wireless communication with a computer network or to a mirror site of the mobile site when the mobile site is out of wireless communication with the computer network as recited in independent Claims 1, 8 and 15.

Therefore, for at least the reasons argued above, the cited combination of Perkins and Maddolozzo fails to teach or suggest each and every element of independent Claims 1, 8 and 15. Thus, Perkins and Maddolozzo do not provide a *prima facie* case of obviousness of independent Claims 1, 8 and 15 and Claims dependent thereon. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §103(a) rejection of Claims 1, 3-8, 10-15 and 17-21 and allow issuance thereof.

Furthermore, one skilled in the art would not be motivated to combine Maddalozzo with Perkins. On the contrary, Perkins is directed to use home agents, foreign agents and care-of addresses to allocate IP addresses to assist in maintaining wireless communication for mobile clients. (*See* page 256, left column, section 1, full paragraphs 2-3.) Maddalozzo, on the other hand, is concerned with determining which mirror site out of multiple mirror sites in a network is the most efficient site for communication. (*See* column 1, lines 6-9 and the Abstract.)
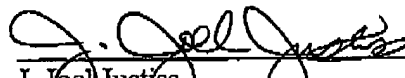
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II.   Conclusion

In view of the foregoing remarks, the Applicant now sees all of the Claims currently

pending in this application to be in condition for allowance and therefore earnestly solicits a Notice

of Allowance for Claims 1, 3-8, 10-15 and 17-21.

The Applicant requests the Examiner to telephone the undersigned attorney of record at

(972) 480-8800 if such would further or expedite the prosecution of the present application.

Respectfully submitted,

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